

have now and it isn't working. And so to have the Attorney General constantly involved, I would not mind having the Attorney General look over before, because we intend to have these opinions ultimately printed and in a library fashion, and codified in such a way that people can refer to these opinions, and before they went into, let's say, a printed final form, to go down in some form of record or posterity, to have the Attorney General look them over, approve them, and make sure that they are of a proper nature. But to have every particular decision that the commissioner is going to make have to be run by the Attorney General would not work in the active world of what the county clerks and the county election commissioners are telling us, because they need somebody to be able to call and say, what's the problem, we have this kind of problem, we need to make this kind of a change, what do we do, and we need somebody that has that kind of authority. So of the entire amendment, and I know I've broken it down separately and was bothered by the whole amendment, but this third part, in my mind, is really...will distort the concept that we're trying to put into place rather than help it.

**SPEAKER BAACK:** Thank you, Senator Conway. Senator Wehrbein, on the Warner amendment.

**SENATOR WEHRBEIN:** Yes, Mr. President, members. Senator Conway, I guess I'd like to have you answer maybe some questions, mostly for clarification. It has to do with this amendment, but if the advice was given by the staff attorney, in this case, this new board that we're creating, if there was a dispute, who ultimately would defend, let's say, a local county? And I'll use "Charlie" County, so I don't pick on a county in the state. Who would defend them in case of a local dispute?

**SENATOR CONWAY:** If the dispute was local, I mean, in the sense that it was...

**SENATOR WEHRBEIN:** Some county election.

**SENATOR CONWAY:** ...a county election, or something of that nature, if, in fact, the...at that point, I would assume that the county attorney would, because it's purely within the confines of the county. What we're talking about here is a state election, where we have multiple counties, issues of a legislative seat, this sort of thing. But the bottom line is that this person would be the czar of elections, if you will,